

To the Members of the California State Assembly:

I am returning Assembly Bill 1832 without my signature.

Current law allows cities and counties, acting as local trustees of state-owned land, to grant lands to federal entities for the completion of publicly beneficial projects, consistent with the principles of the Public Trust Doctrine. Last year, I signed into law SB 815 (Migden, Chapter 660, Statutes of 2007) which authorized the City and County of San Francisco to lease, sell, or otherwise transfer certain tidelands and submerged lands, free of any use restrictions associated with the public trust.

Both current law and SB 815 exemplify the inherent interest cities and counties have in creating partnerships with the federal government and others in utilizing water front lands for the benefit of the people of California. These measures highlight the idea that local government can balance the goal of environmental protection and public access to these lands with economic and homeland security interests.

This bill requires the State Lands Commission to represent the state on boundary issues involving tidelands and submerged lands. Although the state has an interest in the beneficial use of these public assets, I am unable to sign this bill because it removes local government authorization to grant tidelands and submerged lands to the United States and diminishes local input for these projects.

Local governments should have the ability to enter into these agreements for uses negotiated with the federal government. However, I strongly believe that any future agreements must include reversionary rights should the federal government choose not to use the land in the manner originally proposed.

For these reasons I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger